

ENTERED

December 11, 2024

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Mei Kwan Mona Lam,

Petitioner,

v.

USCIS, et al.,

Respondents.

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Civil Action No. 4:23-cv-02751

ORDER ON MOTION FOR LEAVE

On December 10, 2024, Respondents filed an unopposed motion requesting leave to submit a motion for summary judgment that exceeds “the 6,500 word limit set out in this Court’s Procedures ¶ 4(ii).” Dkt. 19. This request incorrectly presumes that the undersigned’s procedures apply to cases referred by a district judge.

The cited procedures state plainly—on the cover page, and in underlined text—that “[f]or cases referred by a U.S. District Judge, the procedures specified by that District Judge supersede any conflicting requirements in these Procedures.” Yvonne Y. Ho, United States Magistrate Judge, Court Procedures (last updated January 2024). And the undersigned’s word-count limitation plainly conflicts with the referring District Judge’s rule specifying that “[a]bsent leave of Court for extended briefing, any brief or memorandum

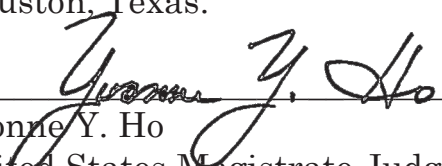
shall be limited to twenty (20) pages, including the case style, any table of contents or authorities, and signature block.” Judge Alfred H. Bennett, Court Procedures and Practices 5(e). That problem is, the referenced word-count limit does not apply to cases referred to the undersigned judge.

Respondents’ 35-page proposed motion for summary judgment far exceeds the applicable 20-page limit. Nevertheless, given Petitioner’s non-opposition to the overlength filing (albeit premised on an incorrect assumption as to what constitutes an overlength brief), together with the Court’s review of the contents of Respondents’ proposed brief, it is **ORDERED** that the Court will **GRANT** Respondents’ request to file their overlength motion for summary judgment (Dkt. 20) and accept the motion for summary judgment (Dkt. 21) that they filed separately on the docket.

To ensure parity in the briefing limitations, however, it is further **ORDERED** that Petitioner may file a response brief of up to 35 pages in length. Should Respondents choose to file a reply, their brief cannot exceed 10 pages. Briefs exceeding those limitations will not be permitted.

It is further **ORDERED** that the parties carefully review the applicable procedures and ensure their submissions comply with those requirements.

Signed on December 11, 2024, at Houston, Texas.



Yvonne Y. Ho
United States Magistrate Judge